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25-50 inclusive; the amendment was not entered. In this response Applicants have requested cancellation of Claims 25-41 inclusive.

Claim 1-24, 42 and 43 are being examined in this application. and are the subject of the office action dated 06/14/2002, to which this is a response

AMENDMENT

In the Claims:

Please CANCEL Claims 15 and 17 to 41 inclusive, without prejudice.

Remarks concerning the Amendment:

Applicants expressly reserve the right to prosecute claims to the subject matter of any cancelled claim in one or more divisional applications.

RESPONSE

The Examiner has rejected Claims 1-3, 6 and 8-24 as being anticipated by US 6,110,914 ("914") and asserts that '914 "disclose[s] the instant claims when, in the instant claims R is hydrogen or C1-C4 alkyl; R1 is (CH₂)_nAr; R2 is absent and n, A and Ar are as defined."

Applicants respectfully point out that in the instant application the moieties R and R1 are attached to a nitrogen which in turn is attached at the 5 or 6 position on a furopyridine ring.

In '914, the moieties G and A occupy positions 5 and 6 of a pyridine, i.e., the equivalent positions. In '914, G and A are respectively defined as N or C(R²) and N or C(R³). One definition for R² and R³ is that they may each independently be -NR⁵R⁶. R⁵ and R⁶ are described as being: "independently hydrogen, C₁-C₄ alkyl, C(O)R⁷, C(O)NHR⁸, C(O)OR⁹, SO₂R¹⁰ or may together be (CH₂)_jQ(CH₂)_k where Q is O, S, NR¹¹, or a bond;"

In view of the foregoing, Applicants fail to understand how the disclosure of '914 anticipates the instant invention. Applicants can find nothing in '914 that discloses an Ar

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moiety, as defined in the instant application, at the position in '914 alleged by the Examiner to have such a moiety.

Applicants invite the Examiner to reconsider the rejection for anticipation and to withdraw this rejection.

The Examiner has rejected Claims 1-3, 6 and 8-24 as being obvious over US 6,110,914. Applicants can find nothing in '914 that suggests or that would motivate one to make the compounds of the instant invention. As articulated above, Applicants read '914 to disclose compounds different from those of the instant invention and find no suggestion to modify the compounds disclosed therein in ways that would lead to the instant compounds. Accordingly, Applicants invite the Examiner to reconsider the rejection for obviousness and to withdraw this rejection.

The Examiner has rejected claim 16 as being indefinite for having a broad and narrow definition of the same invention. Applicants respectfully point out that the objected-to word "including" is functionally equivalent in the sentence of the claim, and has the same meaning, as the more-commonly used word "comprising." Applicants submit that if the claim was worded "A pharmaceutical composition comprising . . . etc." the Examiner would not for this reason reject the claim as being indefinite. Accordingly, Applicants respectfully submit that the claim is not indefinite and invite the Examiner to reconsider the rejection for indefiniteness and to withdraw this rejection.

CONCLUSION

Applicants respectfully submit that the claims of this application are now in condition for allowance.

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Respectfully submitted,

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